THE VICE-CHAIRMAN (SHRI JAGESH DESAI): If you had drawn my attention at that time, I would have allowed you... (*Interruptions*)

SHRI ARANGIL SREEDHARAN: Thank you, Mr. Vice-Chairman, Sir, the Government of Kerala has complained that the Centre has progressively cut the supply of rice to Kerala. I would request the Central Government to increase steadily and firmly the supply of rice to Kerala. What is the reaction of the Central Government to this?

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): What is the policy regarding all the States?

SHRI SUKH RAM: Sir, Kerala is the highest taker of rice. Even at present we are supplying 125,000 metric tonnes of rice to Kerala and I have released 20,000 metric tonnes of rice for Onam function also. (*Interruptions*)

SHRI ARANGIL SREEDHARAN: No, Sir, there has steadily and continuously been a drop in the supplies. Is this a populist policy?

SHRI SUKH RAM: Any request which comes to me from any State Government, I can assure to this extent that I will sympathetically consider it.

Now, as regards wheat import, I have already made it clear that we have contracted for import of two million tonnes that was necessary to replenish our buffer stock and I think there should not be any objection.

SUPPLEMENTARY DEMANDS FOR GRANTS (RAILWAYS) 1988-89

रेल मंत्रालय में उप मंत्री (श्री महावीर प्रसाद) : श्रीमान, मैं 1988–89 के वर्ष के लिए अनुदानों के लिए अनुपूरक मांगें रेलवे को दर्शाने वाला एक विवरण अंग्रेजी तथा हिन्दी में, सभा पटल पर रखता हूं । [पुस्तकालय में रखी गई । देखिये संख्या एल० टी० 6382-क/88]

[The Vice-Chairman (Dr. R. K. Poddar) in the Chair.]

DOCK WORKERS (REGULATION OF EMPLOYMENT) AMENDMENT BILL, 1987—Contd.

SHRI ARANGIL SREEDHARAN (Kerala): Mr Vice-Chairman, Sir, this is a simple Amendment Act. So I do not want to elaborate very long. We get only very rare occasions to support an Act brought forward by a Government which is very incompetent. I support this amendment because this amendment wants to create some accountability and responsibility in the department as far as dock workers are concerned. Sir, we are living in a country where accountability is almost nil. Some great thinker has said India is an effective functioning anarchy. So, when I see a silver ray of hope that somebody is trying to bring some accountability naturally I am encouraged to support. And when I speak on this Bill I say that another act of accountability has taken place in this country. With a high sense of duty and moral accountability the Chief Minister of Karnataka has resigned and blazed a new trail in the history of our political life. I hope by passing this Amending Act this Government will take into consideration other aspects of the problem of dock workers. I come from a State with a long sea-face. We live with dock workers and port workers. We know their problems. After 42 years of freedom there is a type of caste system in ports. A distinction exists between the workers who are under the Port Trust and the workers who are under the Dock Employees Board. The workers under the Port Trust get salaries equivalent to the salaries drawn by the Central Government employees. But the workers who are working under the Dock Boards, get salaries which are much less. Why should this system be there? Why should there be two yardsticks and two approaches to this whole problem? They have to work on piecerate system. In the modern society,

we claim to be developing a socialist system. How can there be this type of piece work where workers do not get their rights which is legitimately due to them? That is one problem which I want to bring to the notice of the hon. Minister.

The second point is, if you look at the ports of India you will find that all the ports do not have uniform wages for the dock workers. There is one rate of wages in Cochin, and another rate in Madras and yet another in Tuticorin. We say that for the same kind of work, there should be same type of remuneration. But you have not been able to give a uniform system of wages in docks and ports. This creates problems for my State. Cochin is a very ancient port. Cochin was called 'Queen of the Arabian Sea', and in Cochin, when compared to some other ports, the wages are a little higher. So, the cargo is diverted to other ports. I am not envying the wages; I am not saying that I am unhappy about the higher wages. What I want to say is, if you do not have uniform rate of wages, the cargo will divert from one port to another, and bring unemployment, social tensions and things like that. So, there should be a uniform rate of wages in all the ports in the country.

In all our ports today, workers are controlled by a mafia. You call them unions or you call them by any name. If you want to get employment, you have to come through this mafia. They will not permit others from outside to come in. The workers are completely at the mercy of the mafia which calls themselves trade unions. I am myself a trade-unionist, connected with plantation workers, textile workers, but I feel that a port is entirely different. There you find a diaboligical sector which has developed in every port; they are trafficking in narcotics. There are all sorts of things going on under some patronage which gives cover to all these things, and the entire thing is in a demoralised atmosphere. What has the Government done in the past to meet this challenge where they have built up impregnable fort in which free trade-unionism is not possible? Violence is used when free trade-unionism is tried to be organised in those areas. Our Constitution gives fundamental right, right of association, right of workers to organise themselves. This mafia, I know, has political backing also. What will the Government do to destroy it and have a break-through so that independent trade unions can work in these ports? Then there is a very close link between the stevedors and the mafia; they share the spoils and share the booty. Stevedors and the mafia operate together and make life impossible in the ports for those who are genuinely interested in working for the welfare of the people.

Then there are a number of categorised unions. Some small categories of these unions paralyse the entire port. That happened in Cochin recently when a small category of crane workers paralysed the port. Others wanted to work but they were not allowed, with the result that our cashew supply to the Soviet Union was lying at the dock and it could not be loaded and the Soviet ships left the port without loading the cashew supply. Sir, cashew industry is vital to our economy, and only a few people, a few dozens of them, can control the entire port because in several ports they are occupying pivotal positions. Just as in the case of telephones, because they hold pivotal positions, a few people can go on strike and the entire telecommunication system breaks down; it is happening in the case of ports also. Therefore, I would suggest that some steps should be taken to bring them to the mainstream of the working class so that the ports can be run smoothly. Otherwise, a few people will hold the ports to ransom.

Sir, I do not want to take more time. But I would like to say just one thing in the end. In the Bill, it has been stated that if the reports are not placed before the State Legislatures or Parliament in time, within

[Shri Arangil Sreedharan]

the specified period, they will have to give reasons for the delay. What I would like to suggest to the hon. Minister is that you should not merely ask them to give the reasons for the delay; if the reasons are not satisfactory, if the Government, at any point of time, feels that the reasons cannot be accepted, those who are responsible for delaying the reports should be punished. A provision to this effect should also be included in the Bill. Thank you.

SHRI SANTOSH BAGRODIA (Rajasthan): Mr. Vice-Chairman, Sir, I rise to support the Bill, the Dock Workers (Regulation of Employment) Amendment Bill.

In spite of being a trade union leader, Shri Yashwant Sinha...

SHRI M. S. GURUPADASWAMY (Karnataka): He is Sreedharan.

SHRI SANTOSH BAGRODIA: I am sorry. In spite of being a trade union leader, Shri Sreedharan has rightly pointed out as to how the trade unions, the so-called trade unions, are working in the various ports. It is true that there is a very strong mafia working in these ports. I have no objection if the wages are increased. But in our country we have to find a way by which the wages are linked to productivity. Otherwise, a time will come when our economy will be saddled with high wages and it will become a high-cost economy.

At different ports, we have different levels of efficiency. As my colleague pointed out just now, the rates are different at different ports. Then, in spite of the higher rates at some ports, the net cost is lesser. Whereas, at some other ports, the rates are lower but the net cost is higher because of inefficiency. In the process, exports become terribly expensive in the world market. We will have to think about it seriously. If we want to compete in the world market, if we want to make our exports less expensive, we will have to tackle it at two levels, at the input stage as well as at the level of clearing from the ports. Recently, Sir, at the Calcutta Port, there has been a four-fold hike in the Central Dock Labour Board levy-minimum levy payable by registered employers drawing all categories of workers under the Calcutta Dock Workers (Regulation of Employment) Scheme, 1970, has been increased from Rs. 10,000 to Rs. 40,000 per annum per employer. In the process, only four firms could be given licence and marginally small firms are out. This is how, because of the monopoly of a few firms, the cost of operations at the ports becomes higher.

There are always disputes over manning scales of workers in certain areas as employers are forced to give booking to some categories of workers which are otherwise not necessary. Take, for example, the machine-stitching of bags or the iron scrap handling at the Kandla Port. The dock labour are not really trained to machine-stitch but they have to be employed. In the process, the employer has to pay twice; to those workers who are sitting idle and the others who are employed for this work. You will be surprised to know that at the Kandla Port, work in regard to iron scrap handling is done by mechanisation and the workers are sitting idle or they play cards. The most surprising thing is that they are given even incentives. I cannot understand how our economy is going to survive in this situation. I do not suggest that these workers should be unemployed If we mechanise, we have to use them elsewhere. I am for it. But just keeping them idle and paying them is not going to help our economy.

The basic problem of the ten major ports is that there is no proper manning scale or norms. Manning norms were formulated and agreed upon in 1960 when there was hardly any mechanisation. No change has taken

place since then. Unless these manning norms are changed, we will continue to face this situation.

My hon. colleague referred to Russian ship going back. The shipping industry has become very modern. More than 60 or 70 per cent of cargo is handled by the foreign ships. These ships come to these ports, they have all modern equipments and it is just impossible for them to waste a single second or minute. There is a system by which for efficiency they pay extra to the shippers, whereas most of the time we find our shippers losing in demurrage. These modern ships cannot wait for manual handling. So we have to modernise our shipping more and more because in the long run it will be more expensive if we handle it manually.

When I say about these labour gangs, a number of times it has also happened that the so-called "national labour" gangs are not available. The machines are idle, the labour is not available and the ship cannot be loaded. We have to find out a way that simply because these gangs are not available for the convenience of some Mafia gang working at the port, the machines should not remain idle. This is very expensive for our country and we have to save the country from this national loss.

The National Productivity Council, an independent body, had recommended productivity-linked bonus based on individual port's performance. But the Government had to agree to uniform norms for all ports. This has resulted in payment of crores of rupees without any increase in the actual efficiency at the port level.

Ours is a poor country. The wages are different. In the industry, private or public, it is much lower—about Rs. 1000 or 1500 per month. But it is heartening to note that a port worker is drawing at least Rs. 3000 per month. I have no objection to that. It is good. let them earn, but we want that they should work for it. The Mafia is compelling for payment whether the work is more or the work is less. In the morning, the hon. Minister replied to my question. I did not want to cross-examine him then, but I wish he should reply now as to what is the capacity of a particular port, how much quantity we can handle, how much we have actually handled? The hon. Minister simply stated so much we have handled and this is full capacity. If this is full capacity, I would like to know what is going to happen next year? Are you not going to increase the capacity next year? If so, what is the process of increasing this capacity? And if you have not handled the full capactiy, why have you not done so? And how do you achieve that full capacity? Otherwise our ports are going to remain idle and idle.

It is very important that a number of minor ports are being developed. I must congratulate our Minister for this because he is taking personal interest in developing a number of minor ports all over the country. We have got one of the longest coastlines. We have very good ports. We are developing them so that we do not have congestion at the major ports. I will request the Minister to modernise these minor ports so that the cost of entire imports and exports can be reduced which will help the overall economy. Sometimes it seems that the nation is grateful to these labour organisations for allowing some measure of mechanisation at the ports But, in the process, how long can we go on continuing with this mixture of mechanization and manual work? We have to see this also. The time has come for a positive decision whether we want to compete in the fast-developing world market or we want to remain uneconomical at all times at the cost of overall national growth.

Sir, I fully endorse the proposed amendment so that the Annual Reports and Audited Accounts of all the

[Shri Santosh Bagrodia]

DLBs can be placed on the Table of the House within a fixed period of time. I also endorse the view of my colleague, because it has been noticed that most of the times these public sector set-ups do not give reports. Whether it is the banks or any other unit, the annual reports do not come for months and years and, as a result, the positive purpose of the report is lost. If the report is supposed to come, say, in nine months according to this amendment and it does not come for two years, then it will serve no purpose because by that time the officers concerned would not be there. Then whom are you going to question? So, the purpose of this report will be served only if the reports are received well in time.

My colleague mentioned about the resignation of the Chief Minister of Karnataka. I don't know about accountability or unaccountability. I think he felt guilty, guilt of a serious nature. He felt guilty and so he resigned. Otherwise, probably, his own party would have made him resign or the public would have made him resign. I don't think it is something very great. He had to do it and so he did it. I don't think it is worth mentioning on this occasion, but because my colleague mentioned, I thought I should point this out. ... (*Interruptions*)... Most of the Opposition Members have gone out. I understand it. We can see the Benches. It is because they are grossly demoralized. ... (*Interruptions*) ... We are waiting, probably, for another conscience seeker in some other State where some other Chief Minister will resign on some other ground because a lot of things are happening in many other States.

Now, the last point, about the working of the Mafia and the smuggling that is going on. If you can have only one union at one port, probably it may be better. I do not know how far it is possible to implement it. Many times it has been noticed that at the ports, where there are many operations. Somebody is loading, somebody is unloading. One part goes on strike but the entire activity stops. So we have to find out a way where a small percentage of workers do not take the country for a ride, do not spoil the entire set-up of a port. The Minister has to find a way out for this also. Thank you very much.

SHRI SUNIL BASU RAY (West Bengal): Mr. Vice-Chairman, Sir, the amendment that has been brought by the Dock Workers (Regulation of Employment) Amendment Bill, 1987, is a small amendment. It is, practically, a one word amendment. Now it focuses our attention on a vital problem.

Since the inception of the Act, there was no accountability of these Boards to report to anybody. So, the Parliamentary Committee that caused this amendment has to be thanked that they had at last made one corrective measure. But, what reports will these Boards give us? That also we have to ponder over because, as I have seen in the reports of the Ministry itself, things are not so happy and the explicit responsibility of the Board, as has been spelt out in the report of the Ministry, is to drive out the so-called surplus workers. Government finances operation of these voluntary schemes so that workers may leave their jobs. Already, according to Government's report, 1,315 workers have opted for the so-called voluntary retirement and there are others also who are in the line. There are others also who are in the line. In the last one year, between 1986 and 1987, seven hundred and fifty-six workers went out. What is this Board meant for? Only to compel the workers to accept voluntary retirement or to make the work force work properly, discipline them, organise them and make them satisfied? As the Report itself says, the workers are not satisfied and oc-

casional, sectional stoppage of work is going on. So, it means that the industrial relations in the dock industry, in the port industry are not good, and they ought to be corrected if we want to have our shipping industry developed and made efficient.

How are the Boards operating? The Boards are to give the reports. I think, certain major amendments should be made in the functioning of the Boards themselves. There are seven Boards for seven major ports. Who are the representatives in these Boards? They are from the Central Government. They are from the dock workers. Nobody knows who these dock workers are and who the representatives are who are representing them. There are employers of dock workers and the shipping companies. There are employers. Who are these employers? How many employers are there, and how many representatives of them are there in the Board? How many shippers' representatives are there in the Board? How do these Boards function? There is no report available in the Ministry's Report, in the Performance Budget Report. Unless we specifically say the functions of the Board should be in this manner, I don't know what report they will give and whether those reports will reflect the reality and help us in correcting whatever there may be incorrect.

So, Sir, I think that there is no need to say more. I support this Amendment.

But I also suggest to the hon. Minister that a full, comprehensive amendment to the Act should be brought covering all the aspects of its operation so that an efficient work force can be built in the port and dock area.

With these words, I conclude.

Thank you, Sir.

SHRI V. NARAYANASAMY: (Pondihcerry): Mr. Vice-Chairman, Sir, thank you for having given me this opportunity to speak on this Dock Workers (Regulation of Employment) Amendment Bill, 1987.

It has been clearly mentioned in the Statement of Objects and Reasons that the Committee on Papers Laid on the Table has recommended that the annual reports and audited accounts should be placed on the Table of both the Houses of Parliament. Therefore, it enabled the Minister to bring this Amendment.

Sir, as one of the Members from the other side has already spoken on this issue, I would like to submit that submitting of the annual reports will enable the Members of Parliament in both the Houses to scrutinise the performance of the Dock Boards in various major ports. This will be a checking point. The accountability will be there on the part of the various Dock Workers Boards so that the efficiency will improve.

Sir, I have various basic aspects to deal with this matter. According to the figures available, more than 1,30,000 dock workers are employed in various major ports. But, Sir, kindly see the condition of the workers. There are two categories. One, they are regular employees of the Board. Others are the pool of workers who have been employed for the purpose of loading and unloading vessels. For improving the conditions medical facilities have been provided. Take, for example, Calcutta and also Bombay. The places where the workers are living are near the dockyard, but the hospitals are thirty miles away. Therefore, the worker even for a minor injury sustained in a congested locality — you know fully well the Calcutta traffic system — has to go 30 kilometres away spending at least half of the day. If the case is serious the man will die on way. So is the case in Bombay. The medical facilities pro-

[Shri V. Narayanasamy]

vided to them are minimal and the hospitals are not at an easily approachable place.

Now take the case of housing schemes provided to the workers. In Calcutta this scheme has not taken off the ground. In Bombay, they are doing something for the workers. In Madras, it is still worse. The housing schemes provided for these workers are not sufficient. The employees of the dockyard, especially who are covered by this Board, are neither employees of the person who is owner of the vessel, nor the Government nor of the person transporting the goods. The worker has to be taken care of by the Board only. So, the facilities and guarantees provided to the workers are minimum. They are not at par with the employees of various industrial concerns.

Now, modernisation and mechanisation has come in. Take the case of the Kandla port. Through that they are transporting iron-ore and scrap iron. Actually with eight man-hours ten to twelve workers are employed for the purpose of lifting 28 tonnes of scrap iron. That was the system prevalant in the sixties as per the agreement signed. Since the ships have been provided with mechanised system of shifting the materials, even scrap iron is being lifted with the magnetic power. Even the iron-ore is being lifted without the manpower. The workers have to wait and see how the lifting process is being performed. With the manpower not being utilised what will be the fate of the workers due to modernisation and mechanisation? These are the various aspects the hon. Minister has to see.

Fortunately, for the vessel owners on the various ports, the strike which was organised by the dock workers has been stopped with the intervention of the hon. Minister. Fourteen percent bonus has been given to them. But unfortunately, the basic amenities have not been made available to them. Wage-board has been formed for settling the wage disputes. The Minister has called a meeting of the four trade unions, but the fifth one has not been called. That union went to the court and has taken stay. So, the wage system which had to come into force from January, 1988 cannot proceed because the case has been locked up in the court. Workers are getting low wages while the prices are increasing.

Apart from that the vessel owners are paying certain amount to the Boards on the basis of which they are lifting the stocks. Even in the system of lifting of goods, as some of the Members have stated, Mafia operation is going on. The muscle power is playing a major role. The person who is powerful in the locality is controlling the labour force and is exploiting them. These are the aspects which the hon. Minister has to see. Simply giving financial accounts will not suffice. Most of the boards are debtors to the Government and the Government has paid the amount to them. But they are running at a loss. The system has to be improved. The financial resources have to be mobilised.

In my State, Pondicherry, we have got a minor port there. In Madras, a lot of ships are coming. They have to wait for thirty to thirtyfive days for unloading the stocks, but they are not coming to my State. Within three to four days they can unload the entire stock. My hon. friend, Mr. Sukulji came to our State and saw the port also. It is in a very systematic way and the railway facilities are also available. Even experienced workers are there to handle the work. Ships came to our port till 1987 and after that not a single ship has come

over there. Of course, ships are being handled at Madras port also. Ours is a minor port wherein, fertilisers, wheat and other items were unloaded for several years and it is a cheap mode of paying the charges to the railways and to the workers when compared to Madras port. But our port has not been considered for sending ships. I suggest that even a small harbour should be taken care of. The Board is only concentrating on major ports. Other ports they are ignoring. These are the various aspects which the hon. Minister should take care of.

I also submit that an expert committee may be appointed for the purpose of studying the problems faced by the Boards relating to their performance and the benefits that are given to the workers and this committee should be asked to submit its report within six months from the date of its appointment.

We know that road transport and airways have become very costlier. Now the vessel is the only system which can move the goods provided it is run efficiently. The system of moving the vessels from one State to another by sea route, canals and also international water ways is to be utilised properly and controlled by the hon. Minister. Since he is the Surface Transport Minister, he should also see the inland waters and international waters.

I would also submit about the problems being faced by the workers. The minimum bare necessities which are to be given to them have been denied, whether it is housing facility or medical facility or minimum guarantee for their life. Therefore, the expert committee should be appointed to study the problems of the workers as well as the Board. I request the Minister to give them at least the necessary wages which are required by them. I would also urge upon the hon. Minister to arrive at a settlement relating to their wages which is pending since January, 1983.

I would like to submit about another important matter, that is, cargo handling. There is enormous delay in cargo handling because either at Visakhapatnam or Tuticorin, the cargo handling facility is very poor and that system is to be improved. Nowadays people are switching over to the inland water transport system. Our foreign trade is through sea and it is between 20-25 per cent. That also requires to be improved. I came to know that even Shipping Corporation of India is competing in the international market in the field of transporting goods. When the things are improving, the Minister should see that the vessels which are coming over here for loading and unloading if it is further improved the Board can also have a vital role to play.

With these words, I support the Bill and I urge upon the hon. Minister either to consider appointing an expert committee to study the problems of the Boards or these Boards may be taken over by the Central Government for efficient management.

श्री मोहम्मद खलीलुर रहमान : आंध्र प्रदेश) : जनाब वाइस चेयरमैन साहब, मैं "दी डोक वर्कर्ज (रेगुलेशन आफ एंपलायमेंट) अमेंडमैन्ट बिल, 1987" की ताइद करने के लिए खड़ा हुआ हूं। यह इस वजह से कि इस अमेंडमेंट के जरिए डोक लेबर बोर्ड जो एक अहम अदारा है और जो गोर्ट एडमिनिस्ट्रेशन की जिम्मेदारी लेता है, वह अवाम के सामने जवाब देह होता है, इस वजह से कि जो एनुअल रिपोर्टस और आडिटेड एकाउन्ट्स हैं, वह पार्लियामेंट और लेजिस्लेचर के सामने उसको पेश करना पड़ेगा और इसके जरिए यह गवर्नमेंट का एक रिल्य भी होगा। यह सब चीजें

[श्री मोहम्मद खलीलुर रहमान]

पार्लियामेंट और स्टेट लेजिस्लेचर के सामने आएंगी । तो जाहिर है कि दूसरे मायनों में अवाम के सामने यह बातें आएंगी और वहां की एक्टिविटीज और किस किस्म की एफिसियेंसी है डोक लेबर, बोर्ड में, यह भी अवाम के सामने आयेंगी । इस वजह से, चूंकि अच्छा इकदाम है, जिसे बहुत देर से हुकुमत लेकर आई, लेकिन फिर भी अच्छा इकदाम है, इसलिए मैं इसकी भरपूर ताईद करता हूं ।

इससे हटकर साथ ही साथ मैं यह भी कहूंगा कि एक यह जो डोक लेबर बोर्ड है, उसके जिम्मे काफी काम है । मगर देखना यह है कि क्या वाक-ए-तन डोक लेबर बोर्ड अपनी जिम्मेदारियों से बेहतर अंदाज में निपट रहा है या नहीं ? मिसाल के तौर पर देखा गया है कि इसके जो जिम्मे है, वह लेबर की वैल्फेयर एक्टिविटीज, लेबर की वेलफेयर स्कीम तो इनके ताल्लुक से किस तरह से निपट रहा है, यह हमको देखना होगा । खास तर पर अभी जैसा कहा गया कि मेडीकल एड रिक्रिएशन और एकमडेशन वगैरह का ताल्लुक जो है, इसी से है और देखा यह गया है कि बडे अच्छे स्कीम त हैं, मगर जिस तरह से सहूलियतें अपने वर्कर्स को और लेबरर्स को देनी हैं, उस किस्म से वह सहूलियतें नहीं मिल रही हैं उनको । चुनाचें यह देखा गया है कि जहां तक एकमडेशन का सवाल है, कलकत्ता में जिन्हें इस व त मुल जिमीन है, एम्पलाईज हैं, उसमें केवल 4.26 परसेंट को अब तक एकमडेशन मुहैया की ई है और इसी तरह से बंबई में सिर्फ 18.16 परसेंट एम्पल ईज को ही यह एकमडेशन की सहूलियते मुहैया की ई है । इसके अलावा कोपरेटिव क्रेडिट सोसायटी, कोपरेटिव स्टोर और फेयर प्राइस शोप भी यह वर्कर्स के लिए कायम की गई है । मगर इसमें देखना यह है कि जिस मकसद के लिए इनको कायम किया गया है, क्या वह मकसद पूरा हो रहा है या नहीं ?

इससे हटकर यह डोक लेबर बोर्ड के जिम्मे मुलाजिमीन के बच्चों के लिए मेरिट स्कोलरशिप और उनके बच्चों के लिए हायर एजुकेशन के लिए स्टाइफेण्ड का भी इंतजाम किया गया है । मगर अमूमन यह शिकायते आ रही हैं कि सही ढंग से और भी गैर-जानिबदाराना अंदाज में यह स्कोलरशिप और स्टाइफण्ड और जो मुस्तहक बतल हैं, उनको नहीं दी जा रही है । जरूरत इस बात की है कि जिस मकसद के लिए यह स्कीम कायम की ई है, उसका मकसद पूरा हो । जो एलिजिबिल स्टूडेण्टस हैं, उनको यह स्टाइफण्ड और स्कोलरशिप मिलनी चाहिए ।

इसके अलावा यहां पर एक लेबर वेलफेयर फण्ड भी कायम किया गया है । यह बहुत अच्छी स्कीम है, मगर क्या लेबर वेलफेयर फण्ड के जो ऐम्स और ओब्जेक्टस हैं, वे पूरे हो रहे हैं या नहीं, यह भी हमको देखना पड़ेगा । इस ताल्लुक से भी यह शिकायते आम तौर पर आई है और जिस मकसद के लिए यह कायम किया गया है इसके लिए हैल्थ और सेनिटेशन भी एक है और फिर बड़ा पर वाटर सप्लाई का इंतजाम है, फिर भी उनकी वर्किंग कंडीशन को बढ़ावा देना है साथ ही साथ उनके ट्रांसपोर्ट का भी इंतजाम है, इन सबके लिए लेबर वेलफेयर फण्ड का कयाम अमल में आया है । मगर मैं समझता हूं कि जब एक दफा यह पूरी चीजें, उनकी मुकम्मल रिपोर्ट पार्लिया मेंट और स्टेट लेजिस्लेचर के सामने आयेंगी तो यकीनन इनकी एफी-सियेन्सी बढ़ेगी ।

यह एक अच्छा इकदाम है । इसलिए मैं ज्यादा न कहते हुए अपने मोअज्जिज मिनिस्टर साहब से यह दरखास्त करूंगा कि यह जो भी वेलफेयर स्कीम हैं, वर्कस के लिए और वर्कस के बच्चों के लिए बनाई गई हैं, उन स्कीम के ताल्लुक से देखें कि जिस मकसद के लिए वे बनाई गई हैं, वह मकसद पूरे हों, । इतना कहते हुए, आपने जो मुझे टाइम दिया है उसके लिए मैं आपका शुक्रिया अदा करता हूं और इस अमेंडमैन्ट की ताइद करता हूं ।

†[شری خلیل الرحمان (آندھرا پردیش) : جناب وائس چیئرمین صاحب - میں "دی ڈوک ورکرس (ریگولیشن آف ایمپلائی منٹ بل امنڈمنٹ ۱۹۸۷ء" کی تائید کرنے کیلئے کھڑا ہوا ہوں - یہ اس وجہ سے کہ اس امنڈمنٹ کے ذریعے ڈوک لیبر بورڈ جو ایک اہم ادارہ ہے اور جو پورٹ ایڈمنسٹریشن کی ذمہ داری لیتا ہے وہ عوام کے سامنے جواب دہ ہوتا ہے - اس وجہ سے کہ جو اینول رپورٹس اور آڈٹ اکاؤنٹس ہیں وہ پارلیمنٹ اور لیجسلیچر کے سامنے اسکو پیش کرنا ہوگا اور اس کے ذریعے یہ گورنمنٹ کا ایک ریپو ہی - یہ سب چیزیں پارلیمنٹ اور اسٹیٹ لیجسلیچر کے سامنے آئینگی تو ظاہر ہے کہ دوسرے معنوں میں عوام کے سامنے یہ باتیں آئینگی اور وہاں کی اکاؤنٹنگ اور کسی قسم کی اینی شیاسی ہے - ڈوک لیبر بورڈ میں - یہ بھی عوام کے سامنے آئینگی - اس وجہ سے چونکہ یہ ایک اچھا اقدام ہے سب بہت دیر سے حکومت لیکر آئی - لیکن پھر بھی اچھا اقدام ہے - اسلئے اسکو ہم دل سے تائید کرتے ہوں -

اس کے ساتھ ساتھ یہ کہنا بھی کہونگا کہ یہ جو ڈوک لیبر بورڈ ہے اسکے ذمہ کافی کام ہے - مگر دیکھنا یہ ہے کہ واقعتاً یہ لیبر بورڈ اپنی ذمہ داریوں سے بہتر ادا میں نبھا رہا ہے یا نہیں - مثال کے طور پر دیکھا گیا ہے کہ اسکے جو ذمہ ہے - وہ لیبر ویلفیئر اسکیم تو انکے تعلق سے کسطرح نبھا رہا ہے - یہ ہمکو دیکھنا ہوگا - خاص طور پر ابھی جیسا کہا گیا میڈیکل اینڈ ریکریشن اور اکومڈیشن وغیرہ کا تعلق جو ہے اسی سے ہے دیکھا یہ گیا ہے کہ بڑی اچھی اسکیمیں ہیں - مگر جسطرح سے سہولیتیں ایچ ورکرس کو اور لیبرس کو دیتی ہیں - اس قسم سہولیتیں نہیں مل رہی ہیں انکو - چنانچہ یہ دیکھا گیا ہے کہ جہاں تک اکومڈیشن کا سوال ہے - کلکتہ میں جتنے بھی اس وقت ملازمین ہیں - ایمپلائز ہیں اسمیں صرف چار اشاریہ چھبیس فی صد کو اب تک اکومڈیشن مہیا کی گئی ہے اور اسی طرح سے بمبئی میں صرف اٹھارہ اعشاریہ سولہ فی صد ایمپلائز کو ہی یہ اکومڈیشن کی سہولیت مہیا کی گئی ہے - اسکے علاوہ کو اپ کوآپریٹو سوسائٹی - کو اپ کوآپریٹو اسٹور اور فئیر پرائس شاپ بھی یہ ورکرس کیلئے قائم کی گئی ہے - مگر اسمیں یہ کہنا ہے کہ اس مقصد کیلئے انکو قائم کیا گیا ہے - کیا وہ مقصد پورا ہو رہا ہے یا نہیں -

اس سے ہٹ کر یہ ڈوک لیبر بورڈ نے ملازمین کے بچوں کیلئے ٹیوشن اسکالر شپ انکے بچوں کیلئے ہائر ایجوکیشن کیلئے اسٹائی لنڈ کا بھی اعطا کیا گیا ہے - مگر عموماً یہ شکایتیں آرہی ہیں کہ مستحق طلبا کو صحیح وقت سے اور فیر ذمہ دارانہ طریقہ سے یہ اسکولر شپ اور اسٹائی لنڈ اور جو مستحق طلبا ہیں انکو نہیں دی جا رہی ہے - ضرورت اس بات کی ہے کہ جس مقصد کیلئے یہ اسکیم قائم کی گئی

[ ] Transliteration in Arabic script.

ہے - اسکا مقصد پورا ہو - جو ایلی جیبل اسٹوڈنٹس ہیں انکو یہ اسٹائی فنڈ اور اسکولر شپ ملنی چاہیئے -

اسکے علاوہ یہاں پر ایک لیبر ویلفیئر فنڈ بھی قائم کیا گیا ہے - یہ بہت اچھی اسکیم ہے مگر کیا لیبر ویلفیئر فنڈ کے جو ایمس ہیں اور آبجیکٹس ہیں وہ پورے ہو رہے ہیں یا نہیں - یہ بھی ہمکو دیکھنا پڑیگا - اس تعلق سے بھی یہ شکایتیں عام طور پر آئی ہیں - اور جس مقصد کیلئے یہ قائم کیا گیا ہے اسکے لئے ہیلتھ اور سیفٹی ایجوکیشن بھی ایک ہے- اور پھر وہاں پر واٹر سپلائی کا انتظام ہے - پھر بھی انکی ورکنگ کنڈیشن کو بڑھاوا دینا ہے - ساتھ ساتھ انکے انسپیکشن کا بھی انتظام ہے ان سب کیلئے لیبر ویلفیئر فنڈ کا قیام عمل میں لایا ہے - مگر میں سمجھتا ہوں کہ جب ایک دفعہ یہ پوری چیزیں انکی مکمل رپورٹ پارلیمنٹ اور اسٹیٹ لیجسلیچر کے سامنے آئیگی تو یقیناً انکی ایفی شینسی بڑھیگی -

یہ ایک اچھا اقدام ہے - اسلئے میں زیادہ نہ کہتے ہوئے اپنے معزز منسٹر صاحب سے یہ درخواست کرونگا کہ یہ جو بھی ویلفیئر اسکیم ہیں - ورکرس کیلئے اور ورکرس کے بچوں کیلئے بنائی گئی ہیں وہ مقصد پورا ہو - اتنا کہتے ہوئے آپ نے جو مجھے ٹائم دیا ہے اسکے لئے میں آپ کا شکریہ ادا کرتا ہوں اور اس امنڈمنٹ کی تائید کرتا ہوں -}

SHRI P. N. SUKUL (Uttar Pradesh): Mr. Vice-Chairman, I rise to support the Dock Workers (Regulation of Employment) Amendment Bill, 1987. In fact, there should have been an amendment and this should have been an Amendment Bill, 1988. But the Minister is yet to come up with that amendment.

Mr. Vice-Chairman, it is a very simple Bill. It seeks to amend the original Act so as to provide for the submission of annual reports of Dock Labour Boards to Government and for the laying of the annual reports and the audited accounts on the Table of the Houses of Parliament or the State Legislature as the case may be. Sir, though the Dock Workers (Safety, Health and Welfare) Act, 1985 was made three years back by Parliament, those welfare measures are yet to reach the dock workers. Still, those very problems persist almost at all the ports and that is why my friends have also drawn the attention of the Government to some of their problems and I will also do the same. There is no housing scheme for dock workers. As some friends said, there are some houses in Bombay. But, for Bombay, there are no houses either in Calcutta or in Madras. In 1983 I went with a Committee of Parliament to visit Paradeep Port. There also we saw that they were living in just hutments or jhoparpatti houses. And there was a strike by the Paradeep dock workers in pursuance of their demand. Then a lot of victimisation was caused to them. Police action was taken. They were driven out of their hutments even. But, later on, perhaps, some houses have been constructed at Paradeep also. But at Major Ports like Calcutta and Madras, they are not there. It is a basic necessity of all the workers. For want of houses at many places many workers have to come from long distances to their work-sites and they are put to a lot of avoidable inconvenience. So, houses should be provided to these dock workers.

Sir, hundreds of dock workers suffer from accidents every year. The safety measures have naturally to be improved. Also, it has to be ensured that the victims of these accidents are duly compensated, either the workers themselves or their families, as the case may be. Sir, in the advisory committees functioning there, more representatives of workers should be there because workers feel that these advisory committees are not able to do full justice to their problems. In fact in these committees, the number of workers' representatives should be so much as to be in a majority so that the workers can themselves decide about their own problems. That is my suggestion. I think the hon. Minister will kindly consider to increase the number of workers' representatives in advisory committees.

Sir, there are various kinds of casual workers and apprentices working on docks and they have absolutely no security of job and they do not get any benefit, any facility, any amenity. I am not speaking only of housing; they do not have any kind of amenity. There is no provision for their permanency also. They work for years together, but they are not made permanent. So, both their service conditions and their working conditions have to be improved. Sir, in general, almost at all the places, practically, they have no medical facilities. Somebody was saying that in Calcutta there are hospitals at 30 miles or so. But to my knowledge they are practically denied medical facilities. They must get medical facilities for themselves and for their children. Also, for workers' children there are no educational facilities. There are no schools either in Calcutta or in Bombay or anywhere. If the workers are supposed to be there, to live with their families, naturally the Government must be alive to this dire need of their children, that is, their educational facilities. I hope the Government will seriously think of providing educational facilities for the children of workers. There is, of course, a great disparity between the amenities, facilities and wages of port trust employees and those that the dock workers get. Port trust employees are in a much better position. I don't grudge what they are getting. But I would suggest to the Government that they should give more facilities, better living conditions, better working conditions, to the dock workers also. On Dock Labour Boards, workers' representatives are not there at all. I would suggest to the honourable Minister that on Dock Labour Boards workers' representatives must also be there so that the workers really feel that they are taking part at that level and they are able to consider their grievances, their problems. Then, dock workers, when there is no work, must get the minimum guaranteed wages. This minimum guaranteed wage may be very paltry, may be totally insufficient, inadequate, for their daily requirements. So it must be ensured that at least so much should be paid as to enable them to survive with their families. When there is no work, it is no fault of theirs that there is no work; there is sometimes no work on account of so many factors. But the workers have to stay there and if they have to live there, they must get so much wage that they can live a normal life with their families. Then they should be given the status of industrial workers. Their problems will not be solved unless they are treated on a par with industrial workers and are given full trade union rights so that they can also assert for the fulfilment of their genuine demands. If they are treated as industrial workers then naturally they will be getting all the benefits that are appurtenant to industrial workers.

Only seven major ports are proposed to be covered under this amending Bill. Today there are ten major ports. All these major ports can be covered under this legislation. In

(Shri P. N. Sukul)

fact, all the ports should be covered, not only major ports. Workers who are engaged on minor ports, their grievances should also be taken care of and justice due to them should be meted out to them.

As regards the suggestion of my friend that an expert committee should be appointed to look into the grievances of dock workers, I am entirely for it. I do not think there should be any difficulty in it. The honourable Minister should consider this suggestion very seriously and appoint an expert committee to look into the genuine grievances of dock workers and the committee should make its recommendations available to the Government so that those problems can be solved and dock workers get the relief, the benefits, the justice, economic and social, that is due to them.

With these words I support the Bill.

श्री शंकर सिंह वाघेला : माननीय उपसभाध्यक्ष जी, हमारे साथी शुक्ल जी और उनके पहले भी जो बोले कम से कम उनको तो यह राइट नहीं है कि झोंपड़ी-पट्टी क्यों बढ़ रही है ? वह खुद जिनको यह करना है, एग्जीक्यूट करना है, कह रहे हैं कि यह हो रहा है, वह हो रहा है । पायलट साहब से आप इत्तिला करें कि हो सके तो इसका एग्जीक्यूशन करें । मैं माननीय मंत्री जी से एक शब्द का फर्क करने की प्रार्थना करूंगा जो डाक कर्मकार है, सबसे पहले तो मुझे डाक पोस्ट लगा कि यह पोस्ट का अनुवाद है या . . . तो डाक को गोदी कर्मकार करिए । इसी तरह से जो दूसरा बिल है मर्चेंट शिपिंग का उसका भी आपने वाणिज्यि किया है मर्चेंट का भी वाणिज्य और कामर्स का भी वाणिज्य है । तो कामर्स का वाणिज्य करिए और मर्चेंट का व्यापारिक करिए । अलग अलग लफ्ज आपके पास अवेलेबल हैं तो आप इनका इस्तेमाल कीजिए जब उसमें सुविधा रहेगी तभी लोग उनको अपनाएंगे। जब हम एयरक्राफ्ट में ट्रेवल करते हैं तो उसमें कहते है कि वाणिज्य कर्मचारियों से मिलिये, जो वहां व्यापारिक शब्द अच्छा है, उसके अर्थ को वह स्पष्ट करेगा ।

महोदय, मैं उस कमेटी को धन्यवाद देता हू जो सभापटल पर रखे जाने वाले पत्रों के सम्बन्ध में जो समिति सिफारिश करती है और जिन्होंने 1984 में यह सिफारिश की कि डाक वर्कर्स बोर्ड की वार्षिक रिपोर्ट हाउस में रखी जानी चाहिए । चार साल के बाद आप बिल लाये है । चार साल में बारह दफे मिले होंगे, दोनों हाउसेज चले होंगे । आपको चिन्ता होती तो आप बिल ले आते । समिति का भला हो कि जिन्होंने 1984 में सिफारिश की नही तो यह सिलसिला आज तक चलता रहता, कोई पूछने वाला नही था । हमारी पब्लिक अंडरटेकिंग्स या दूसरी जो कमेटियां हैं जो रिपोर्ट का लेखा जोखा करती है, उनकी ड्यूटी है कि वह रिपोर्ट को देखें, चाहे वह ऐस्टिमेट्स कमेटी हो या पी० यू० सी० हो उसका ऐक्जीक्यूशन न होने पर वह कंसर्न अधिकारियों से छेंगी कि इसका अमलीकरण क्यों नहीं हो रहा है ?

उपसभाध्यक्ष जी, इसमें 5 ई में जो दूसरा पैराग्राफ आपने लिखा है उसमें कहा है—

> "provided where such report of accounts and review are not laid before Parliament or, as the case may be, before the Legislature of the State within the said period the same shall be so laid thereafter alongwith reasons for the delay."

It is no use laying them after two or three years.

आपके पास ओवर स्टाफ है तो आप समय पर कार्यवाही क्यों नहीं करते ? जिनको कार्यवाही करनी है उनको आप चैक कीजिए, नाम करिए कि ऐक्स, वा , जेड ने कार्यवाही नहीं की । एक्जीक्शन का सवाल ही पैदा नहीं होता । तीन साल के बाद रिपोर्ट लिखी तो इसका क्या मतलब है । तो एक साल के बाद आप माफी

करने के लिए तैयार हैं । आप उनको रीजन्स लिखने के लिए कहेंगे तो अनेकों रीजन्स हो सकते हैं, रीजन्स खड़ा करना आसान होता है । आप उन पर एकाउंटेबिलिटी रखिए नही तो कौन माथा-पच्ची करेगा रिपोर्ट लिखने की । आप उन पर जिम्मेदारी फिक्स कीजिए ।

जब मजदूरों की बात आती है तो उसमें महिला मजदूर, बाल मजदूर, बंधुआ मजदूरों का नाम आता है । आपके रेलवे स्टेशन पर लाल पट्टी वाले मजदूर मिलेंगे तो बाल मजदूर भी मिलेंगे, महिलाएं भी मिलेंगी । आप बम्बई में देखिए आपने हजारों महिलाएं और बच्चे उखाड़ फेंके जो फुटपाथ पर डाक के बाहर झोंपडी पट्टी डालकर बस जाते हैं । दूसरे अभी कहा गया कि मजदूर ट्रेन्ड नही हैं । जितनी चिन्ता उनकी कारगो हैंडलिंग की करनी चाहिए इतनी चिन्ता श्रमिक नहीं करेंगे तो काम कैसे चलेगा ? आज प्राइवेट ट्रक्स का व्यापार बढ़ रहा है क्योंकि वे सामान को इधर से उधर ले जाते हैं और सही जगह पर जहां पहुंचाना है वहां पहुंचाते हैं और माल डमेज होता है तो समय पर उसका भुगतान करते हैं क्योंकि उसका मालिक प्राइवेट व्यापारी होता है । यह मिस-हैंडलिंग कहां होती है ? क्या आपके पास कोई ऐसा माध्यम है उन लेबररस को इस कारगो हैंडलिंग की ट्रेनिंग दी जाये ? हमारे देश में बहुत बड़ा काम लेबररस के द्वारा होता है । जितने भी चाहिए दूर-दूर से आपको मजदूर मिल जायेंगे । उनमें स्किल्ड लेबरर कितने हैं ? आपके पास अगर स्किल्ड लेबरर नहीं हैं तो क्या कोई ऐसा इंस्टीट्यूशन है जहां इसकी ट्रेनिंग दी जाये, इसको तालीम दी जाए ? अगर अच्छी हैंडलिंग नहीं होगी तो दिन पर दिन आपके कार्गो को नुकसान होगा । यह राष्ट्रीय नुकसान है । जो ट्रक वाले सेवा करते हैं, अच्छी सेवा करते हैं वे आपका सारा का सारा धंधा ले जायेंगे । प्राइवेट ट्रांसपोर्ट के पास सारा धंधा चला जायेगा ।

डाक लेबरर की बात भी चली । आप बड़े शहरों में डाक क्यों रखते हैं ? क्यों कलकत्ता में, बम्बई में आपने डाक रखे हुए हैं ? बम्बई में नोवा-शिवा में आपने डाक रखा है । इसी से देखियेगा कि कितना फर्क पड़ जायेगा । इसी तरह से आप देश के और किनारे देखिये । बड़े-बड़े शहर हैं वहां डाक डवेलप न कीजिए । कलकत्ता में आपने डाक रखा है वहां तो कितने ही लोग मर रहे हैं । आपके पास कितने ही सागर किनारे हैं अच्छे-अच्छे पोर्टस वहा बना सकते है । प्रकृति की मेहरबानी बनी हुई है कि इतने अच्छे सागर किनारे आपको मिले हुए हैं । जैसे नोवा-शिवा में प्रयोग हुआ है ऐसे प्रयोग आप देश के दूसरे सागर किनारों में करिये । यहां पर अच्छे डाक बन सकते हैं । इनको बना कर देखिये । लेबररस जो आपको 25–25, 30–30 मील दूर से मिलते हैं उनके लिए जैसा सुकूल जी ने कहा हाउसिंग की व्यवस्था करिये । वहां स्कूल की व्यवस्था करिये । वहां पर उनके लिए होस्पीटल खोलिये । पार्क बनाइये ताकि बच्चे खेल सकें । आप क्या नही कर सकते । आप सब कुछ कर सकते हैं लेकिन इंटेंशन आपकी करने की नहीं है । आपको झोपड़-पट्टी पसन्द है इसलिए आप उसको फैला रहे हैं । नहीं तो आप सोचते हैं कि नया डाक बनेगा तो नयी सोसाइटी खड़ी हो जायेगी । मेरा मंत्री महोदय से यह कहना है कि जितना प्रोफिट आपको मिलता है उसको कन्वर्ट करिये । बहुत से रास्ते ऐसे हैं जिनसे उन लेबरर्स को अच्छे ढंग से स्किल्ड लेबरर बनाया जा सकता है । उनकी जो कम्पलेंट्स हैं उन को सही ढंग से देखें । मजदूरों को मेडिकल फेसिलिटी मिले । उनके बच्चे लेबरर न बनें इसके लिए उनको अच्छी से अच्छी शिक्षा मिले । समय पर खेलने का प्रबन्ध हो । दूर अगर जाना है तो आने-जाने की ट्रांसपोर्ट की सुविधा उनको मिले । मैं समझता हूं यह सब मुमकिन है । हम कर सकते हैं मगर इन्टेंशन साफ नही है ।

पोर्ट का जो बोर्ड होगा उसमें अगर श्रमिक बैठा होगा तो उस श्रमिक में से श्रमिकपन मिट जाता है । अगर उसका लड़का अफसर बन जायेगा, चेयरमैन बन

[श्री शंकर सिंह व घेल]

जायेगा तो उसमें से भी श्रमिकपन मिट जायेगा । इसलिए कहना है सही ढंग से इसका इम्पलीमेंटेशन हो । सही दिशा में इनके लिए सोचना चाहिए । जो डाक लेबरर्स का वैलफेयर बोर्ड है इसके बारे में भी आपको सोचना चाहिए ।

दूसरे मंत्री महोदय एक दुखद बिल ला रहे हैं राष्ट्र जलमार्ग के लिए । छोटे-छोटे पोर्ट को डवलप करें । जब रास्ते में इतने एक्सीडेंट होते हैं, हवाई जहाज के मामले में एक्सीडेंट्स हो सकते हैं तो इसके लिए आप ट्रेफिक कन्वर्ट कर सकते हैं । जैसे हमारे यहां गुजरात में वडेज घोघा फेरी सर्विस के लिए 500 किलोमीटर का रास्ता घटा कर डेढ़ सौ किलोमीटर कर सकते हैं । सात घंटे की जर्नी आप 45 मिनट में तय कर सकते हैं तो आप इतने समय का बचाव कर सकते हैं और ट्रांसपोर्ट के फ्यूल को भी कम कर सकते हैं । राष्ट्रीय जलमार्ग जो है उसको डवलप करके इनको कन्वर्ट कर सकते हैं । इससे आपको काफी फर्क पड़ जायेगा । इससे काफी लोगों को सुविधा होगी । इन शब्दों के साथ मैं फिर मंत्री महोदय से अपील करूंगा कि यह जो मैंने बातें कही हैं इनमें जो आपको ठीक लगे, सही ढंग से उनको लागू करिये । झंझट-पट्टी आपको मिटानी है । सही समय पर रिपोर्ट लानी है और रिपोर्ट के 5-ई में पैराग्राफ दो जो है उसको एवालिश करिये । यह जो रिपोर्ट है समय पर न रखने के बाद भी आप इस संबंध में अच्छा काम कर सकेंगे । इन्हीं शब्दों के साथ मैं माननीय मंत्री जी से प्रार्थना करूंगा कि इसमें सुधार करें और मैंने जो सुझाव दिये हैं उन पर विचार करें ।

THE VICE-CHAIRMAN (DR. R. K. PODDAR): Shrimati Bijoya Chakravarty. Not here. Now, the Minister will reply.

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI RAJESH PILOT): Mr. Vice-Chairman, Sir, it was a very simple amendment. As the hon. Member has pointed out, it was after the recommendation of the Committee on Papers laid on the Table of the House at the end of 1984. After that, the Government procedures took some time and we came to the Parliament in 1987. It has been pending with the Parliament for one year, i.e. from 1987 to 1988.

Every Member has shown his concern about the welfare of labour at the ports. Some Members have said that they are slightly highly paid Some people have said that they are not that handsomely paid. But let me assure the House that the Government is keen about it and the welfare of labour has been given the highest priority. We have taken care of it. That is why, today the atmosphere at the ports is more healthy and the morale is very high. Our performance has been increasing every year. The cargo handled by the ports has increased to 134 million tonnes. This is because of the hard work of the port workers, the dock labour, the policies of the Government and the management at the ports. The position today is totally different from what it was when we started the ports.

Some of the Members had an apprehension that our ports are not competitive. Yes, I do agree that some of our ports are not that competitive. But the reputation of Indian ports is very good in the shipping market. Our efforts are to improve the ports further. The Government is keen that ports should earn for themselves. Ports cannot really be institutions where we look after the welfare only without caring for earning. Ports comprise a sector which has a direct impact on the economy of the country. All these factors have to be borne in mind.

Ports have to be modernised. But there has to be a balanced approach. We cannot modernise ports and tell 1,30,000 people to go home. We want to modernise and see at the same time that we do not really make the people

working at the ports unemployed. That is why we have to go slow on modernisation. It is very easy to say that some foreign ships came and they did not have the equipment which they were used to and, therefore, they had to go back. It is not normally the case. The hon. member has in mind one or two instance. I will get them checked. We are fully competent and equipped to handle the ships which normally are of that nature which call at our ports.

Sir, there was a point about accountability. The Government is keen to have accountability in the system. That is why, such actions are being taken. Some of the Members have pointed out that there is *mafia* in the unions at the ports. I was surprised at that. We are trying to forster the culture of productiviy amongst the port labour. The hon. Member pointed out that there is *mafia*. It was that party which gave a call for *bandh* on that day. They closed every thing on that day. This *mafia* is not created on its own. It has certain support. Who are the people who support this *mafia*? When the work culture is inculcated in all the organisations and especially in the public secor in which exchequer's money is invested in a very high degree, then only country's economy will progress and improve. That is the theme of the Government. That is what this Government has been trying to achieve for the last 3 or 4 years. We want to inculcate the culture of productivity and the work culture in the public sector. About the work culture, I do appreciate the very open-minded remarks of the hon. Member that this requires a serious look into it, and that is why we are talking to the labour federations to have productivity-linked bonus. Earlier the bonus was on *ad-hoc* and *ex-gratia* terms. We have discussed with them that we must have a yardstick so that we can assess your work, we can assess your productivity, and with that we should link the bonus.

Regarding the wage negotiations, Sir, which the hon. Member has pointed out, we are on the job. We are having discussions with them. Some Members have pointed out about hospitals, schools and accommodation. Sir, normally on all the ports we have hospitals for the dock labour and port workers. We have schools also. And where the ports are slightly far away from the township, we have managed to run the schools for port and dock labour children. About housing also, at most of the ports, we have taken care that we must arrange it, may not be 100 per cent housing. I do agree with some hon. Members that it does not take much to make a small park. But the problem is that you must really plan with the resources available, what resources we have for the planned development of the ports. With those resources, we have to go hand in hand. We have to compete with the international atmosphere of competition, develop our ports, modernise our ports and look after the welfare of our workers also because the workers are the backbone of our port sector or of any public sector. They are the people who have to really work to increase the efficiency of the ports. So, all these factors are totally in mind. And I would request the hon. Members that if they could go through the Annual Reports of the ports—for each port, we put in an Annual Report—you will find that all these points which they have pointed out are very much looked after. Yes, it may not be to that degree as you said about the accommodation in Bombay. Yes, it may not be I do agree with you. But the problem we are facing is that we have sufficient land at the port and we thought that we can make a housing colony for the people, but the litigations are going on about leases. People are not vacating those houses or the property of the ports. There are so many problems. We have to really sort them out. But our mind is on the similar line of what the hon. Members from both the sides have mentioned about the welfare of the labour.

(Shri Rajesh Pilot)

Sir, as far as the ports' operational efficiencies are concerned, I had mentioned in the morning also that ports are doing well. I would not get satisfied with the performance every time. I would not put a word that we are satisfied with this progress because it has to be a continuous effort from the port side to maintain the parameters and improve their efficiency. We have improved in the turn-round time, we have improved in the berthing time, we have improved in cargo handling. But the problems are still there. At one port, a gang of four people are handling, and the same cargo is being handled by 12 people at another port. But because of the Union's involvement in their system of functioning, we are still unable to make a uniform system all over the ports. I do agree with the hon. Members that there should be uniformity about pay, about their salaries, about their wages, about their facilities. It is a very good suggestion, Sir. But it is not that simple to implement. That is why, slowly and slowly, as I have said earlier, we have to go with a balanced approach, with the labour and with the management. So, we are trying our best and let me once again assure the hon. House...

SHRI SHANKER SINH VAGHELA: Regarding the delay in laying the reports...

SHRI RAJESH PILOT: Sir, the hon. Member has said that you yourself are expecting or proposing a delay. It is not the intention. The intention is that you make a law or a rule. You have to keep a lot things in clear thinking. If I read out, it will be clear:

"Provided that where such report, accounts and the review are not laid before Parliament or, as the case may be, before the Legislature of the State within the said period, the same shall be so laid thereafter along with the reasons for the delay."

Now, Sir, we are there. The public has elected us. You people have put us in responsible positions. We are answerable to you. We will answer if there is a delay. And if we fail in our duty, we are at your disposal to get your anguish. But the law has to be in such a way that it is not one-sided. You have to keep the options open, if there is any lacunae in the system at any time, because of which suppose you say that by such and such date the mail has to come by some procedure and if that procedure fails you really cannot make a law which is not practical. So, with this our intentions are very honest in this. We want to keep the House informed of the activities of the Dock Labour Board and that is why we have come and the whole thing is laid on the Table of the House. But I must assure the hon. Members that we shall not leave any stone unturned where our efforts are not there to improve the ports, look after the welfare of the people and whatever suggestions the hon Members have given today, I will keep them in mind and try to implement the maximum of them.

Regarding inland water transport also a point has been raised about minor ports. If you look at the Seventh Plan allocation we have allocated Rs. 155 crores for inland water transport and if you see the activities in the last one and a half years we have really chosen a crash programme on national waterways. For minor ports we have allocated Rs. 20 crores and we have selected two ports at the moment. All problems are going to be for the resources. We would like to have all the minor ports developed and be operational but we do not have those many resources at the moment. But whatever little resources and whatever we could afford from the budget, we are putting our best. Inland water transport is on a very

high priority of the Government and our efforts are on those lines. In minor ports we are helping the State Government wherever we could do it. Whatever amounts or resources could be supplemented on the efforts of the State Government, the Central Government is cooperating.

With those words, Sir, I move that the Bill be passed.

THE VICE-CHAIRMAN (DR. R. K. PODDAR): Now, I will put the motion. The question is:

"That the Bill further to amend the Dock Workers (Regulation of Employment) Act, 1948, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (DR. R. K. PODDAR): We shall now take up clause-by-clause consideration of the Bill.

Clause 2 was added to the Bill.

Clause 1-short title.

THE VICE-CHAIRMAN (DR. R. K. PODDAR): There is one amendment to clause 1. Mr. Minister, please move.

SHRI RAJESH PILOT: Sir I move.

"That at page 1, line 4, for the figure '1987' the figure '1988' be *substituted.*"

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (DR. R. K. PODDAR): Now I will put the clause, as amended, to vote. The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

THE VICE-CHAIRMAN (DR. R. K. PODDAR): Now we will take up the Enacting Formula. There is one amendment by the Minister.

SHRI RAJESH PILOT: Sir, I move:

"That at page 1, line 1, for the word Thirty-eighth the word Thirty-ninth be *substituted*'."

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (DR. R. K. PODDAR): Now I will put the Enacting Formula, as amended, to vote. The question is:

"That the Enacting Formula, as amended, stand part of the Bill.

The motion was adopted.

The Enacting Formula as amended was added to the Bill.

The Title was added to the Bill.

SHRI RAJESH PILOT: Sir, I move:

"That the Bill, as amended, be passed."

The question was proposed.

श्री राम अवधेश सिंह (बिहार) : मान्यवर, सदन की आवाज से यह मालूम हो गया है कि इस बिल के विरोध में मूलत: कोई नहीं है क्योंकि "ना" की आवाज नही निकली, "हां" की ही आवाज निकली । इसका मतलब है कि इसके पक्ष में पूरा सदन है । लेकिन जो सुझाव दिये और जो इन्होंने आश्वासन दिये हैं मैं चाहूंगा कि मंत्री महोदय इन सुझावों और आश्वासनों की रोशनी में जितनी जल्दी हो सके उतनी जल्दी से काम करे ।

जो दूसरी बात मैं कहना चाहता हूं वह इन्हीं के मंत्रालय से संबंधित है । कल इस सदन में चेयर का निर्देशन है कि जो हमारे बिहार में मनिहारी में जो जहाज डूबा 565 आदमियों की हत्या की गयी...(**व्यवधान**) हां, हत्या की गयी है । इसलिए कि इतना पुराना जहाज है जिसमें दो या ढाई सौ से ज्यादा ले जाने की क्षमता नहीं थी, उसमें 565 आदमियों का टिकट काटना ही अपने में भारी अपराध है, भारी गुनाह है, ऊपर से 150 बोरी गेहूं उस पर लाद देना तो और भी भारी अपराध हो जाता है ।

[श्री राम अवधेश सिंह]

मंत्री जी यहां हैं । इनको सदन से निर्देश हुआ है । सदन की पूरी भावना है कि इस पर बयान दें । मैं जानना चाहूंगा कि मंत्री जी इस पर कब बयान देंगे... (व्यवधान) यह इनके मंत्रालय से संबंधित है । इतनी बड़ी हत्या हो गयी है... (व्यवधान) आप तो गजब आदमी हैं साहब । इतनी बड़ी संख्या में लोग मारे गये आज सदन में मंत्री जी मौजूद हैं, कल नही थे । इनको निर्देश हुआ है सदन की ओर से, अध्यक्ष की ओर से तो मैं जानना चाहता हूं कि उसके बारे में कब जवाब देंगे ?

SHRI RAJESH PILOT: Mr. Vice-Chairman, Sir, the hon. Member has asked aobut the statement on the tragedy in Bihar. I will certainly follow the instructions given by the hon. Chair and respect the feelings of the House and at an appropriate time, I will certainly...

श्री राम अवधेश सिंह : कब ? एक सप्ताह में, पांच रोज में, दस रोज में, कितने दिन में देंगे । आप इस कुर्सी पर बैठे हैं उनसे पूछिए कि कितना टाइम लेंगे । क्या एक महीना लेंगे ? कितने दिन लेंगे । यह तो कहें कि कितना समय लग सकता है । जहां जहाज डूबा है वहां इनको जाना चाहिए और यह इनकी जिम्मेवारी है अभी तक इन्होंने खुद देखा नहीं है । इसके बाद भी लेजरली हंसकर कह रहे हैं । यह शर्मनाक घटना है इस पर शर्म करनी चाहिए । मंत्री जी यहां हैं और कहते हैं 'एप्रोप्रिएट टाइम" । व्हाट इज एप्रोप्रिएट टाइम ? एप्रोप्रिएट टाइम से क्या मतलब है । आप बतायें एप्रोप्रिएट टाइम क्या है, 8 दिन, 10 दिन कब ? यह मैं जानना चाहता हूं । महोदय आप उस कुर्सी पर बैठे हैं आप पूछिए कि कब देंगे ?

THE VICE-CHAIRMAN (DR. R. K. PODDAR): He has replied.

SHRI RAM AWADHESH SINGH: What is "appropriate time"?

SHRI RAJESH PILOT: Sir, the hon. Member should know and he should be aware that it is a State subject and if the House has...

SHRI RAM AWADHESH SINGH: It is not a State subject.

SHRI RAJESH PILOT: If the House has desired and the Chair has given a direction...

SHRI RAM AWADHESH SINGH: It is not a State subject. Inland navigation is covered by the Ferries Act.

SHRI RAJESH PILOT: Mr. Vice-Chairman, Sir, it is a State subject. We are awaiting information from the State Government. I cannot give half-hearted information to the House. We are collecting the facts. As directed by the honourable Chair the day before yesterday, we are getting the facts and figures and at the earliest we will come and inform the House about the complete details on this.

श्री राम अवधेश सिंह : आपको खुद वहां जाकर फर्स्ट हैंड रिपोर्ट लिखनी चाहिए और सदन को उससे अवगत कराना चाहिए । इतने गैर-जिम्मेदाराना ढग से जवाब देंगे इतने बड़े हत्याकांड होने के बाद भी... (व्यवधान) यह जान-बूझ कर हत्या की गई है ।

THE VICE-CHAIRMAN (DR. R. K. PODDAR): He said he will do it as early as possible.

श्री राम अवधेश सिंह : महोदय, आप कहिए । यह वहां जायेंगे या नहीं लेकिन इनको जाना चाहिए क्योंकि यह नैतिकता का तकाजा है, कानून का चले हो या नही हो । यह इनलैंड वाटर एंड सरफेस ट्रांसपोर्ट मिनिस्टर होने के नाते यह नैतिकता का तकाजा है कि इनको वहां पर जाना चाहिए । हम लोग कहते हैं कि रेल में दुर्घटना हो गई और रेल मंत्री... (व्यवधान) टेलीफोन के टेप होने पर तो रेजिग्नेशन मांग रहे हैं ।... (व्यवधान)

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M. M. JACOB): Sir, we are in the midst of the discussion of a Bill. It is almost over. This is the third reading.

SHRI RAJESH PILOT: Sir, it was the Opposition Members who wanted to restrict our functioning, saying that it was a State subject. The Opposition Members say, read the report of the Sarkaria Commission. Now they want to involve us everywhere, though it is a State subject. In this very House the Opopsition Members found themselves very uncomfortable.

....(*Interruptions*)....

श्री राम अवधेश सिंह : यह आपके मंत्रालय से कवर होता है । इनलैंड वाटर का जो है यह आपके मंत्रालय से कवर होता है और आपके मंत्रालय से नियंत्रित है ।

SHRI P. N. SUKUL (Uttar Pradesh): It is covered under the Indian Ferries Act. It is under the State Government...(*Interruptions*)...

SHRI RAJESH PILOT: He is misguiding the whole House, Sir.

THE VICE-CHAIRMAN (DR. R. K. PODDAR): The Minister said that when he receives information from the State, he will give it.

SHRI RAJESH PILOT: Sir, we are trying our best to collect the information...(*Interruptions*)...

THE VICE-CHAIRMAN (DR. R. K. PODDAR): Please do it as early as possible. Now, the question is:

"That the Bill, as amended, be passed."

The motion was adopted.

MERCHANT SHIPPING (SECOND AMENDMENT) BILL, 1987

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI RAJESH PILOT): Sir, I move:

"That the Bill further to amend the Merchant Shipping Act, 1958, be taken into consideration."

At international level civil liability for damage caused by oil pollution resulting from escape or discharge of oil from ships is determined by the International Convention on Civil Liability for Oil Pollution Damage, 1969. The provisions of the above Convention have been incorporated in Part XB of the M.S. Act, 1958 by the Merchant Shipping (Amendment) Act, 1983. The liability under the above Convention is fixed in terms of "franc" which is a unit consisting of 65.5 miligrams of gold of millesimal fineness nine hundred. By adopting the 1976 Protocol to the above Convention the "Franc" has been replaced by the "Special Drawing Rights" for the purpose of determining the limits of liability for oil pollution damage. The Special Drawing Right is defined by the International Monetary Fund and the amounts of liability are converted into national currency of the country which is a party to the Convention on the basis of the value of that country's currency with reference to the Special Drawing Rights.

India acceded to the nternational Convention on Civil Liability for Oil Pollution Damage, 1969 and 1976 Protocol on 1st May, 1987, and these instruments have come into force for India from 1st August, 1987 as per the Convention provisions. As such, it has become necessary to amend the provisions of Part XB of the Merchant Shipping Act, 1958 to replace "Franc" by 'Special Drawing Rights". By replacing the franc by SDRs the amounts of the limits of liability have not undergone change but the liability in terms of the national currency will henceforth be converted on the besis of the relation of such national currency with the SDRs.